

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-01018-RCL**

NATIONAL PUBLIC RADIO, INC. et al v. OFFICE OF
MANAGEMENT AND BUDGET

Assigned to: Judge Royce C. Lamberth

Cause: 05:552 Freedom of Information Act

Date Filed: 04/11/2019

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

NATIONAL PUBLIC RADIO, INC.

represented by **Thomas R. Burke**
DAVIS WRIGHT TREMAINE LLP
505 Montgomery Street
Suite 800
San Francisco, CA 94111-6533
(415) 276-6552
Fax: (415) 276-6599
Email: thomasburke@dwt.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Chelsea Kelly
DAVIS WRIGHT TREMAINE LLP
1919 Pennsylvania Avenue, N.W.
Suite 800
Washington, DC 20006
(202) 973-4250
Email: chelseakelly@dwt.com
ATTORNEY TO BE NOTICED

Lisa Beth Zycherman
DAVIS WRIGHT TREMAINE, LLP
1919 Pennsylvania Avenue, N.W.
Suite 800
Washington, DC 20006
(202) 973-4280
Fax: (202) 973-4499
Email: lisazycherman@dwt.com
ATTORNEY TO BE NOTICED

Plaintiff

SEAN MCMINN

represented by **Thomas R. Burke**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Chelsea Kelly
(See above for address)
ATTORNEY TO BE NOTICED

Lisa Beth Zycherman
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

**OFFICE OF MANAGEMENT AND
BUDGET**

represented by **Peter C. Pfaffenroth**
 U.S. ATTORNEY'S OFFICE for D.C.
 Civil Division
 555 Fourth Street, NW
 Washington, DC 20530
 (202) 252-2513
 Fax: (202) 252-2599
 Email: peter.pfaffenroth@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Fred Elmore Haynes
 U.S. ATTORNEY'S OFFICE FOR THE
 DISTRICT OF COLUMBIA
 555 Fourth Street, NW
 Washington, DC 20530
 (202) 252-2550
 Email: fred.haynes@usdoj.gov
TERMINATED: 07/02/2019

Date Filed	#	Docket Text
04/11/2019	<u>1</u>	COMPLAINT <i>for Injunctive and Declaratory Relief for Violation of the Freedom of Information Act</i> against OFFICE OF MANAGEMENT AND BUDGET (Filing fee \$ 400 receipt number 0090-6054434) filed by NATIONAL PUBLIC RADIO, INC., SEAN MCMINN. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Civil Cover Sheet, # <u>4</u> Summons Ofc of Mgmt and Budget, # <u>5</u> Summons US Atty General, # <u>6</u> Summons US Atty for DC)(Zycherman, Lisa) (Entered: 04/11/2019)
04/12/2019		Case Assigned to Judge Royce C. Lamberth. (zsb) (Entered: 04/12/2019)
04/12/2019	<u>2</u>	SUMMONS (3) Issued Electronically as to OFFICE OF MANAGEMENT AND BUDGET, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 04/12/2019)
04/18/2019	<u>3</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. OFFICE OF MANAGEMENT AND BUDGET served on 4/16/2019 (Zycherman, Lisa) Modified on 4/19/2019 to correct serve date (jf). (Entered: 04/18/2019)
04/18/2019	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/15/2019. Answer due for ALL FEDERAL DEFENDANTS by 5/15/2019. (Zycherman, Lisa) Modified on 4/19/2019 to correct docket serve/answer due date (jf). (Entered: 04/18/2019)
04/18/2019	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 04/15/19. (Zycherman, Lisa) Modified on 4/19/2019 to correct serve date (jf). (Entered: 04/18/2019)
04/30/2019	<u>6</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Thomas R. Burke, :Firm- Davis Wright Tremaine LLP, :Address- 505 Montgomery Street, Suite 800, San Francisco, California 94111-6533. Phone No. - (415) 276-6500. Fax No. - (415) 276-6599 Filing fee \$ 100, receipt number 0090-6090775. Fee Status: Fee Paid. by SEAN MCMINN, NATIONAL PUBLIC RADIO, INC. (Attachments: # <u>1</u> Declaration of T. Burke, # <u>2</u> Text of Proposed Order)(Zycherman, Lisa) (Entered: 04/30/2019)
05/01/2019	<u>7</u>	ORDER granting <u>6</u> Motion for Leave to Appear Pro Hac Vice. Signed by Judge Royce C. Lamberth on 5/1/2019. (lcrl2) (Entered: 05/01/2019)
05/03/2019	<u>8</u>	NOTICE of Appearance by Thomas R. Burke on behalf of SEAN MCMINN, NATIONAL PUBLIC RADIO, INC. (Burke, Thomas) (Entered: 05/03/2019)
05/08/2019	<u>9</u>	NOTICE of Appearance by Chelsea Kelly on behalf of SEAN MCMINN, NATIONAL PUBLIC RADIO, INC. (Kelly, Chelsea) (Entered: 05/08/2019)

05/15/2019	<u>10</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by OFFICE OF MANAGEMENT AND BUDGET (Haynes, Fred) (Entered: 05/15/2019)
05/16/2019	<u>11</u>	ORDER granting <u>10</u> Motion for Extension of Time to Answer; Answer due by 5/28/2019. Signed by Judge Royce C. Lamberth on 5/16/2019. (lcrcl2) (Entered: 05/16/2019)
05/28/2019	<u>12</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by OFFICE OF MANAGEMENT AND BUDGET (Haynes, Fred) (Entered: 05/28/2019)
05/30/2019	<u>13</u>	ORDER granting <u>12</u> Motion for Extension of Time to Answer. OFFICE OF MANAGEMENT AND BUDGET answer due 6/12/2019. Signed by Judge Royce C. Lamberth on 5/29/19. (lsj) (Entered: 05/30/2019)
06/12/2019	<u>14</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by OFFICE OF MANAGEMENT AND BUDGET (Haynes, Fred) (Entered: 06/12/2019)
06/13/2019	<u>15</u>	ORDER granting Defendant's motion for a further extension of time to file its answer. Defendant shall file its answer by June 21, 2019. Signed by Judge Royce C. Lamberth on 06/13/2019. (lcrcl2) (Entered: 06/13/2019)
06/14/2019		Set/Reset Deadlines: Answer due by 6/21/2019 (lsj) (Entered: 06/14/2019)
06/21/2019	<u>16</u>	ANSWER to Complaint by OFFICE OF MANAGEMENT AND BUDGET.(Haynes, Fred) (Entered: 06/21/2019)
06/25/2019	<u>17</u>	ORDER: The government shall produce a Vaughn index with a supporting dispositive motion within thirty days. Signed by Judge Royce C. Lamberth on 06/25/2019. (lcrcl2) (Entered: 06/25/2019)
06/25/2019		Set/Reset Deadlines: Vaughn Index and Dispositive Motions due by 7/25/2019. (lsj) (Entered: 06/25/2019)
07/02/2019	<u>18</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Peter C. Pfaffenroth on behalf of OFFICE OF MANAGEMENT AND BUDGET Substituting for attorney Fred Haynes (Pfaffenroth, Peter) (Entered: 07/02/2019)
07/24/2019	<u>19</u>	Unopposed MOTION to Vacate <u>17</u> Order <i>Requiring Submission of Dispositive Motion and Vaughn Index</i> by OFFICE OF MANAGEMENT AND BUDGET (Attachments: # <u>1</u> Text of Proposed Order)(Pfaffenroth, Peter) (Entered: 07/24/2019)
07/25/2019	<u>20</u>	ORDER granting <u>19</u> Motion to Vacate. A status report regarding attorney's fees shall be filed no later than 30 days from this date. Signed by Judge Royce C. Lamberth on 07/25/2019. (lcrcl2) (Entered: 07/25/2019)
08/26/2019	<u>21</u>	STIPULATION of Dismissal <i>With Prejudice</i> by SEAN MCMINN, NATIONAL PUBLIC RADIO, INC.. (Zycherman, Lisa) (Entered: 08/26/2019)